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**BELOW**

September 15, 2005

Mail Stop L&R  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

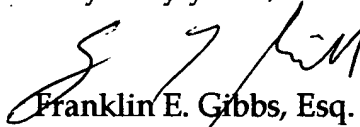
Re: App. No.: 09/775,257

Dear Sir:

Enclosed is a declaration in response to the letter mailed by the USPTO on September 6, 2005

Please send all correspondences to the address below and if you have any questions contact me at your convenience. Thank you.

Very truly yours,

  
Franklin E. Gibbs, Esq.  
USPTO No. 44,709

Encl: Documents

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**In re Application of**

**Applicants:** John Mezits, Russell J. Common,  
John A. Rusi

**Examiner/GAU:** NA

**Application Title:**

Apparatus for Sealing and Restraining the  
Flexible Pressure Boundary of an Inflatable Spacecraft

**Application Serial No.:** NA

**Atty. Docket No.:** 2001-106

**Application Filed:** herewith

**Paper Filed:** Declaration Under 37 CFR 1.63

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**DECLARATION FOR UTILITY APPLICATION UNDER 37 C.F.R. 1.63**

As a below-named inventor, and as an employee of Bigelow Development Aerospace Division, L.L.C., to which the invention identified herein rightfully belongs, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention, the specification of which is attached hereto, entitled:

**Apparatus for Sealing and Restraining the Flexible Pressure Boundary  
of an  
Inflatable Spacecraft**

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to in this declaration. I acknowledge the duty to disclose all information which is material to patentability as defined in Title 37 Code of Federal Regulations, Section 1.56.

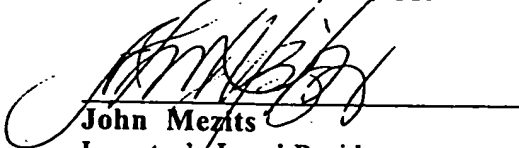
As a named inventor, I hereby appoint Bigelow Development Aerospace Division attorney, Michael L. White, Esq., (Registered Patent Attorney, No. 39,421), to prosecute this application for, and on the behalf of Bigelow Aerospace, and to transact all business in the Patent and Trademark Office connected therewith. Please address all correspondence to:

Michael L. White, Esq.  
Bigelow Development Aerospace Division, L.L.C.  
4195 W. Teco Avenue, Las Vegas, NV 89118  
Phone: (702) 795-7200

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the application, or any patent issued thereon.

Application Title: Apparatus for Sealing and Restraining the  
Flexible Pressure Boundary of an Inflatable Spacecraft  
Atty. Docket No.: 2000-106  
Paper Filed: Declaration Under 37 C.F.R. 1.63

**FIRST JOINT INVENTOR**

  
John Mezits

Inventor's Legal Residence:  
Inventor's Post Office Address:  
Citizen of:  
Telephone Number:

1/23/01  
Date

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United States  
702-456-1606

**SECOND JOINT INVENTOR**

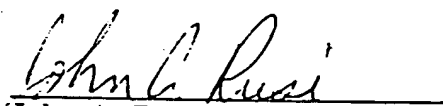
  
Russell J. Common

Inventor's Legal Residence:  
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1/23/01  
Date

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**THIRD JOINT INVENTOR**

  
John A. Rusi

Inventor's Legal Residence:  
Inventor's Post Office Address:  
Citizen of:  
Telephone Number:

01/23/01  
Date

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United States  
702-456-1606

Express Mail Label: EF050874284US



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/775,257	01/31/2001	John Mezits	HDAD-004

Mr. Franklin E. Gibbs, Esq.  
1899 W. Brooks Avenue  
North Las Vegas, NV 89032

EXAMINER	
ART UNIT	PAPER NUMBER
PATENT & TRADEMARK OFFICE	

DATE MAILED: **MAILED**

**SEP - 6 2005**

This application has been reported by the examiner as in condition for allowance.

**LICENSING & REVIEW**

The subject matter of this application appears to have significant utility in the conduct of aeronautical and space activities as recited in Section 305C of the National Aeronautics and Space Act of 1958 (Public Law 568, 85th Congress, 42 U.S.C. 2457). Accordingly, it would appear that no patent can issue on this application until there is filed by applicant(s) a statement under oath, or in lieu thereof a declaration (as provided by 35 U.S.C. 25), setting forth the full facts concerning the circumstances under which such invention was made and stating the relationship (if any) of such invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

In the event 35 U.S.C. 202 has been made applicable by express provision in any contract, grant or cooperative agreement with the National Aeronautics and Space Administration which may have a relationship to the subject matter of this application, applicant may file a statement under oath, or in lieu thereof a declaration (as provided by 35 U.S.C. 25), to the effect that 35 U.S.C. 202 is applicable, as an alternative to the statement required above. A false statement regarding this applicability of 35 U.S.C. 202 shall be considered a false representation of a material fact which may result in a request for transfer of title to the patent, which issues on this application, to the Administrator of the National Aeronautics and Space Administration pursuant to Section 305(e) of the National Aeronautics and Space Act.

It is considered appropriate for a statement to be filed at this time without a formal requirement and this letter has been sent in order to give applicant(s) an opportunity to do so.

Should it be necessary to bring this matter to the attention of the Commissioner to make a formal requirement for the statement, no provision is found in Section 305C of the National Aeronautics and Space Act for the extension of the time limit, set therein, which is thirty days after the requirement is made.

This application will be reached for processing in about FORTY-FIVE DAYS. Final disposition thereof will be expedited if an appropriate statement is filed during this period.

Respectfully,

  
Special Laws  
Administration Group

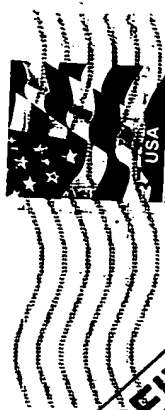
**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE  
ATTENTION OF LICENSING AND REVIEW.**

**BEST AVAILABLE COPY**

**BIGELOW**

General Contractor providing design, engineering & assembly of space samples  
1899 W. Brooks Avenue, North Las Vegas, NV 89032

LAS VEGAS NV 89032



**RECEIVED**

SEP 19 2005

USPTO MAIL CENTER

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